

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office OCT 19 1998

Returned to applicant for correction _____

Corrected application filed _____

Map filed NOV 16 1998

The applicant International Silica Corporation, hereby makes application for permission to change the Point of Diversion, Manner of Use, and Place of Use of a portion of water heretofore appropriated under Permit No. 63312

1. The source of water is an underground source in the Black Mountain Basin
2. The amount of water to be changed 119.44 acre-feet; 0.165 cfs
3. The water to be used for heavy industrial purposes
4. The water heretofore permitted for mining purposes
5. The water is to be diverted at the following point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 19 South, Range 64 East, M.D.B.&M., at a point that bears North 18° 28' West a distance of 2085.0 feet to the Northwest corner of said Section 18
6. The existing permitted point of diversion is located within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 20 South, Range 64 East, M.D.B.&M., at a point that bears South 27° 23' East a distance of 1543 feet to the Southeast corner of said Section 29.
7. Proposed place of use is within Section 34, Township 18 South, Range 63 East, M.D.B.&M.
8. Existing place of use within the SW $\frac{1}{4}$, Section 8, all of Section 17, and the NW $\frac{1}{4}$ and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 20, Township 20 South, Range 64 East, M.D.B.&M.
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works new well, casing, well pump, pressure tank, and distribution pipeline
12. Estimated cost of works \$750,000.00
13. Estimated time required to construct works 3 years
14. Estimated time required to complete the application of water to beneficial use 5 years
15. Remarks: Water under this permit is to be co-mingled with 542.98 acre-feet under Permit #62691, and with 137.58 acre-feet under Permit #62692, for a combined total of 800 acre-feet

By s/Stephen F. Turner
1210 Hinson Street
Las Vegas, Nevada 89102

Compared my/cms dl/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 63312 is issued subject to the terms and conditions imposed in said Permit 63312 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 64540, 64541, 64542 and 64547 shall not exceed 1,392.06 acre-feet annually.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Prior to any pumping under this permit, a dedicated monitoring well to measure the static water level shall be placed in a location approved by the State Engineer which will determine impacts to existing rights.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.165 cubic feet per second, but not to exceed 119.44 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

October 2, 2000

Proof of completion of work shall be filed before:

November 2, 2000

Water must be placed to beneficial use on or before:

October 2, 2001

Proof of the application of water to beneficial use shall be filed on or before:

November 2, 2001

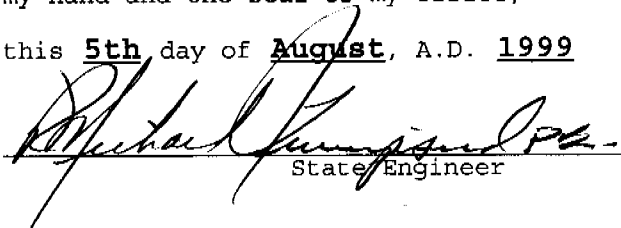
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 5th day of August, A.D. 1999


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Abrogated By 66166 06/65